

REMARKS

Claims 5-6, 8, 18, 20 and 27, without prejudice, have been cancelled.

Claims 1-4, 7, 9-17, 19, 21-26 and 28-30 having being amended. Support for the amendments can be found throughout the specification. No new matter has been introduced.

Amended claims 1-4, 7, 9-17, 19, 21-26 and 28-30 are now pending

Insufficiency of Declaration

In the interest of expeditiously bringing prosecution to a conclusion, Applicants have elected to amend the claims to clearly distinguish over the cited references. The issues against the declarations are now moot.

Rejection under 35 U.S.C. 102(e)

Claims 1-4, 6, 7, 9, 10-12, 14, and 22 stand rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,327,533, to Chou ("Chou").

Claim 1 has been amended to include the element of "selecting a first recipient to receive the user's current location ... independent of a current communication relationship between the first recipient and the messaging service" (underlined added). Without addressing the issue of whether "authenticating a user logging in to retrieve location information of tracked objects" is the same as "selecting a first recipient to receive the user's current location", Chou nonetheless failed to teach this element, as Chou merely "select" among "users logging in", having "a communication relationship" with the central server.

Accordingly, Chou fails to anticipate at least the required "selecting" element. Amended claim 1 is patentable over Chou.

Claims 14 and 22 contain in substance the same "selecting" element of

claim 1. Therefore, for at least the same reasons, claims 14 and 22 are patentable over Chou.

Claims 1-4, 6, 7, 9 and 10-12 are dependent on claim 1, incorporating its limitations. Therefore, for at least the same reasons, claim 1 is patentable over Chou.

Rejection of claims 5 and 8 under 35 U.S.C. 103(a)

Claims 5 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chou in view of U.S. Patent No. 6,542,075, to Barker et al. ("Barker").

Claims 5 and 8 are dependent on claim 1, incorporating its limitations. Therefore, for at least the same reasons, claims 5 and 8 are patentable over Chou.

Barker does not remedy the above discussed deficiencies of Chou. Thus, for at least the same reasons, claims 5 and 8 are patentable over Chou, even when combined with Barker.

Rejection of claim 13 under 35 U.S.C. 103(a)

Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chou in view of U.S. Patent No. 6,442,263, to Beaton et al. ("Beaton").

Claim 13 are dependent on claim 1, incorporating its limitations. Therefore, for at least the same reasons, claim 13 is patentable over Chou.

Beaton does not remedy the above discussed deficiencies of Chou. Thus, for at least the same reasons, claims 5 and 8 are patentable over Chou, even when combined with Beaton.

Rejection of claims 15-21 and 23-30

Claims 15-21 and 23-30 stand rejected for similar reasons as applied to claims 1-14.

Rejections against claims 18, 20 and 27 have been rendered moot by their cancellations.

Claims 15-17, 19-21, 23-26 and 28-39 are dependent on either claim 14 or 27, incorporating their limitations. Therefore, for at least the same reasons, claims 15-17, 19-21, 23-26 and 28-39 are patentable over Chou, even when combined with either Barker or Beaton.

Conclusion


In view of the foregoing, claims 1-4, 7, 9-17, 19, 21-26, and 28-39 are in condition for allowance. Early issuance of the Notice of Allowance is earnestly solicited.

Please charge any shortages and credit any overages of payment of fees to Deposit Account No. 500393.

Respectfully submitted,

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